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cating liquor as a beverage by a juror during the trial and consideration of a capital case will vitiate a verdict of guilty, and entitle the accused to a new trial.

The general rule of law on this point seems to be that the use of intoxicating liquors by the jury, or a juror, is not ground for a new trial in the absence of any showing that injurious consequences resulted therefrom. *Jones v. People*, 6 Colo. 452. The fact that some of the jurors drank intoxicating liquor during the trial raises a presumption against the validity of the verdict which may be rebutted by proof that the jurors were not intoxicated. *State v. Madigan*, 57 Minn. 425. But many cases hold that secret drinking of intoxicating liquor by the jury in the jury room is such misconduct as throws the burden on the state of proving, on a motion by the prisoner for a new trial, that he was not injured thereby. *State v. Greer*, 22 W. Va. 800. And the modern tendency seems to be that the courts will not inquire whether the juror was affected by what he drank, for the only safeguard to purity and correctness of the verdict is that no drinking shall be allowed. *Davis v. State*, 35 Ind. 496; *Pelham v. Page*, 6 Ark. 535. And this is especially true in capital cases. *People v. Douglass*, 4 Cow. 26 (S. C.). In Texas and Iowa no drinking at all is allowed. *Jones v. State*, 13 Tex., 168; *State v. Baldy*, 17 Iowa 39.

DOWER—ESTATES AND INTERESTS SUBJECT—ASSIGNMENT.—*BAKER V. BAGG, ET AL.*, 114 N. Y. SUPP. 660.—*Held*, that where a son, prior to his father's death, had assigned all of the interest in the estate of the father which he might acquire after his death, the wife of the son had no dower in the real estate of the father which descended to the son, subject to the right of the assignee.

To entitle a wife to dower, the husband must, during coverture, have been seised, either in fact or in law of an estate of inheritance. *Phelps v. Phelps*, 143 N. Y. 197. This seisin also must be a beneficial seisin. *Maybury v. Brien*, 15 Pet. (U. S.) 21; *Gully v. Ray*, 57 Ky. 107. And, where the husband serves merely as a conduit, through which title passes to a third party, it is held that he is not beneficially seised. *I Washburn, Real Prop.*, 188, 6th ed.; *Fontaine v. Boatmen's Sav. Inst.*, 57 Mo. 552.

EXECUTORS AND ADMINISTRATORS—COMPENSATION—SERVICES AS ATTORNEY.—*ORDINARY V. CONNOLLY, ET AL.*, 72 ATL. 363 (N. J.).—*Held*, that an administrator, who is an attorney, and who prosecutes a suit at law upon the bond of a former administrator, is entitled to a counsel fee as well as taxed costs to be included in the assessment of damages upon a judgment recovered on the bond against the derelict administrator and his surety.

One line of decisions holds that where a proper administration of an estate requires professional services the executors or administrators may themselves perform such necessary services as attorneys, and be entitled to reasonable compensation therefor. *Teague v. Corbitt*, 57 Ala. 607. On the other hand, many courts have adopted the doctrine that no allowance can be made to an attorney for professional services rendered an estate